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BEFORE THE DIRECTOR  
DEPARTMENT OF CONSUMER AFFAIRS  
BUREAU OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS  
STATE OF CALIFORNIA

In the Matter of the Statement of Issues  
Against:

Case No. VN-2006-1313

REINHARD PASAMANERO AQUINO  
154 S. Occidental Blvd.  
Los Angeles, CA 90057

Applicant for Vocational Nurse License

Respondent.

DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the  
Director of the Department of Consumer Affairs<sup>1</sup> as the final Decision in the above-entitled matter.

This Decision shall become effective on December 8, 2008.

IT IS SO ORDERED this 4 day of November, 2008.



PATRICIA HARRIS  
Deputy Director, Board/Bureau Support  
Department of Consumer Affairs

<sup>1</sup>Pursuant to Business and Professions Code section 101.1(b), on July 1, 2008, the director became vested with the duties, powers, purposes, responsibilities, and jurisdiction of the Board of Vocational Nursing and Psychiatric Technicians.

EDMUND G. BROWN JR., Attorney General  
of the State of California  
KAREN B. CHAPPELLE  
Supervising Deputy Attorney General  
WILLIAM R. TAYLOR, State Bar No. 222455  
Deputy Attorney General  
300 So. Spring Street, Suite 1702  
Los Angeles, CA 90013  
Telephone: (213) 897-8764  
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Attorneys for Complainant

**BEFORE THE DIRECTOR  
DEPARTMENT OF CONSUMER AFFAIRS  
BUREAU OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS  
STATE OF CALIFORNIA**

In the Matter of the Statement of Issues Against:

REINHARD PASAMANERO AQUINO  
154 S. Occidental Blvd.  
Los Angeles, CA 90057

Vocational Nurse License Applicant

Respondent.

Case No. VN-2006-1313

OAH No. L-2008060284

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the  
above-entitled proceedings that the following matters are true:

PARTIES

1. Teresa Bello-Jones, J.D., M.S.N., R.N. (Complainant) is the Executive  
Officer of the Bureau of Vocational Nursing and Psychiatric Technicians (Bureau). She has  
brought this action solely in her official capacity and is represented in this matter by Edmund G.  
Brown Jr., Attorney General of the State of California, by William R. Taylor, Deputy Attorney  
General.

2. Respondent Reinhard Pasamanero Aquino (Respondent) is represented in  
this proceeding by attorney Fredrick M. Ray, Esq., whose address is Law Offices of Fredrick M.  
Ray, 770 The City Drive, Suite 8100, Orange, California 92868-6927.

3. On or about December 1, 2006, Respondent filed an application dated

1 November 3, 2006, with the Bureau to obtain a Vocational Nurse License.

2 JURISDICTION

3 4. Statement of Issues No. VN-2006-1313 was filed before the Bureau of  
4 Vocational Nursing and Psychiatric Technicians and is currently pending against Respondent.  
5 The Statement of Issues and all other statutorily required documents were properly served on  
6 Respondent on March 6, 2008. Respondent timely filed his Notice of Defense contesting the  
7 Statement of Issues. A copy of Statement of Issues No. VN-2006-1313 is attached as exhibit A  
8 and incorporated herein by reference.

9 ADVISEMENT AND WAIVERS

10 5. Respondent has carefully read, fully discussed with counsel, and  
11 understands the charges and allegations in Statement of Issues No. VN-2006-1313. Respondent  
12 has also carefully read, fully discussed with counsel, and understands the effects of this  
13 Stipulated Settlement and Disciplinary Order.

14 6. Respondent is fully aware of his legal rights in this matter, including the  
15 right to a hearing on the charges and allegations in the Statement of Issues; the right to be  
16 represented by counsel at his own expense; the right to confront and cross-examine the witnesses  
17 against him; the right to present evidence and to testify on his own behalf; the right to the  
18 issuance of subpoenas to compel the attendance of witnesses and the production of documents;  
19 the right to reconsideration and court review of an adverse decision; and all other rights accorded  
20 by the California Administrative Procedure Act and other applicable laws.

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up  
22 each and every right set forth above.

23 CULPABILITY

24 8. Respondent admits the truth of each and every charge and allegation in  
25 Statement of Issues No. VN-2006-1313.

26 9. Respondent agrees that his Vocational Nurse License Application is  
27 subject to denial and he agrees to be bound by the Bureau's imposition of discipline as set forth in  
28 the Disciplinary Order below.

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1 conditions of probation.

2                   3.       **Notification of Address And Telephone Number Change(s).**

3 Respondent shall notify the Bureau, in writing, within five (5) days of a change of residence or  
4 mailing address, of his new address and any change in his work and/or home telephone numbers.

5                   4.       **Notification of Residency or Practice Outside of State.** Respondent

6 shall notify the Bureau, in writing, within five (5) days, if he leaves California to reside or  
7 practice in another state.

8                   Respondent shall notify the Bureau, in writing, within five (5) days, upon his  
9 return to California.

10                  The period of probation shall not run during the time Respondent is residing or  
11 practicing outside California.

12                  5.       **Notification to Employer(s).** When currently employed or applying for

13 employment in any capacity in any health care profession, Respondent shall notify his employer  
14 of the probationary status of Respondent's license. This notification to the Respondent's current  
15 health care employer shall occur no later than the effective date of the Decision. Respondent  
16 shall notify any prospective health care employer of his probationary status with the Bureau prior  
17 to accepting such employment. This notification shall be by providing the employer or  
18 prospective employer with a copy of the Bureau's Accusation and Disciplinary Decision.

19                  The Health Care Profession includes, but is not limited to: Licensed Vocational  
20 Nurse, Psychiatric Technician, Registered Nurse, Medical Assistant, Paramedic, Emergency  
21 Medical Technician, Certified Nursing Assistant, Home Health Aide, and all other ancillary  
22 technical health care positions.

23                  Respondent shall cause each health care employer to submit quarterly reports to  
24 the Bureau. The reports shall be on a form provided by the Bureau, shall include a performance  
25 evaluation and such other information as may be required by the Bureau.

26                  Respondent shall notify the Bureau, in writing, within five (5) days of any change  
27 in employment status. Respondent shall notify the Bureau, in writing, if he is terminated from  
28 any nursing or health care related employment with a full explanation of the circumstances

1 surrounding the termination.

2                   6.       **Interviews/meetings With Bureau Representative(s).** Respondent,  
3 during the period of probation, shall appear in person at interviews/meetings as directed by the  
4 Bureau, or its designated representatives.

5                   7.       **Employment Requirements And Limitations.** During probation,  
6 Respondent shall work in his licensed capacity in the State of California. This practice shall  
7 consist of no less than six (6) continuous months and of no less than twenty (20) hours per week.

8                   While on probation, Respondent shall not work for a nurses' registry or in any  
9 private duty position, a temporary nurse placement agency, as a faculty member in an accredited  
10 or approved school of nursing, or as an instructor in a Bureau approved continuing education  
11 course except as approved, in writing, by the Bureau. Respondent shall work only on a regularly  
12 assigned, identified and predetermined work site(s) and shall not work in a float capacity except  
13 as approved, in writing, by the Bureau.

14                  8.       **Supervision Requirements.** Respondent shall obtain prior approval from  
15 the Bureau, before commencing any employment, regarding the level of supervision provided to  
16 Respondent while employed as a licensed vocational nurse or psychiatric technician.

17                  Respondent shall not function as a charge nurse (i.e., work in any healthcare  
18 setting as the person who oversees or directs licensed vocational nurses, psychiatric technicians,  
19 certified nursing assistants or unlicensed assistive personnel) or supervising psychiatric  
20 technician during the period of probation except as approved, in writing, by the Bureau.

21                  9.       **Completion of Educational Course(s).** Respondent, at his own expense,  
22 shall enroll and successfully complete a course(s) substantially related to the violation(s) no later  
23 than the end of the first year of probation; or Respondent shall be suspended from practice, until  
24 he has enrolled in and has successfully completed the specified coursework.

25                  The coursework shall be in addition to that required for license renewal. The  
26 Bureau shall notify Respondent of the course content and number of contact hours required.  
27 Within thirty (30) days of the Bureau's written notification of assigned coursework, Respondent  
28 shall submit a written plan to comply with this requirement. The Bureau shall approve such plan

1 prior to enrollment in any course of study.

2 Upon successful completion of the course, Respondent shall cause the instructor  
3 to furnish proof to the Bureau within thirty (30) days of course completion.

4 10. **Maintenance of Valid License.** Respondent shall, at all times while on  
5 probation, maintain an active current license with the Bureau, including any period during which  
6 suspension or probation is tolled.

7 Should respondent's license, by operation of law or otherwise, expire, upon  
8 renewal or reinstatement respondent's license shall be subject to any and all terms of this  
9 probation not previously satisfied.

10 11. **Violation of Probation.** If Respondent violates the conditions of his  
11 probation, the Bureau after giving Respondent notice and an opportunity to be heard, may set  
12 aside the stay order and impose the stayed discipline of revocation of the Respondent's license.  
13 If during the period of probation, an accusation or petition to revoke probation has been filed  
14 against the Respondent's license or the Attorney General's Office has been requested to prepare  
15 an accusation or petition to revoke probation against the Respondent's license, the probationary  
16 period shall automatically be extended and shall not expire until the accusation or petition has  
17 been acted upon by the Bureau. Upon successful completion of probation, the Respondent's  
18 license will be fully restored.

19 ACCEPTANCE

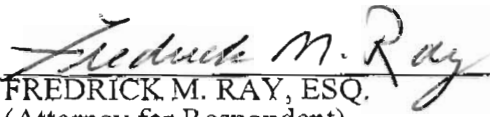
20 I have carefully read the above Stipulated Settlement and Disciplinary Order and  
21 have fully discussed it with my attorney, Fredrick M. Ray, Esq. I understand the stipulation and  
22 the effect it will have on my Vocational Nurse License Application. I enter into this Stipulated  
23 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be  
24 bound by the Decision and Order of the Bureau.

25 DATED: 7/30/08

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27   
28 REINHARD PASAMANERO AQUINO  
(Respondent)

1 I have read and fully discussed with Respondent Reinhard Pasamanero Aquino the  
2 terms and conditions and other matters contained in the above Stipulated Settlement and  
3 Disciplinary Order. I approve its form and content.

4 DATED: 7/30/08

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6   
7 FREDRICK M. RAY, ESQ.  
(Attorney for Respondent)

8  
9 ENDORSEMENT

10 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully  
11 submitted for consideration by the Director of Consumer Affairs.

12 DATED: 8/22/08

13 EDMUND G. BROWN JR., Attorney General  
14 of the State of California

15 KAREN B. CHAPPELLE  
16 Supervising Deputy Attorney General

17   
18 WILLIAM R. TAYLOR  
19 Deputy Attorney General

20 Attorneys for Complainant

21 DOJ Matter ID: LA2007601924  
22 50296047.wpd



**Exhibit A**

**Statement of Issues No. VN-2006-1313**

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 KAREN B. CHAPPELLE  
Supervising Deputy Attorney General  
3 WILLIAM R. TAYLOR, State Bar No. 222455  
Deputy Attorney General  
4 300 So. Spring Street, Suite 1702  
Los Angeles, CA 90013  
5 Telephone: (213) 897-2560  
Facsimile: (213) 897-2804  
6  
Attorneys for Complainant

7  
8 **BEFORE THE**  
**BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Statement of Issues Against:  
11  
12 REINHARD PASAMANERO AQUINO  
154 S. Occidental Blvd.  
Los Angeles, CA 90057

Case No. VN-2006-1313

**STATEMENT OF ISSUES**

13  
14 Applicant/Respondent.

15 Complainant alleges:

16 PARTIES

- 17 1. Teresa Bello-Jones, J.D., M.S.N., R.N. (Complainant) brings this  
18 Statement of Issues solely in her official capacity as the Executive Officer of the Board of  
19 Vocational Nursing and Psychiatric Technicians.
- 20 2. On or about December 1, 2006, the Board of Vocational Nursing and  
21 Psychiatric Technicians received an application for a Vocational Nurse License from Reinhard  
22 Pasamanero Aquino (Respondent). On or about November 3, 2006, Reinhard Pasamanero  
23 Aquino certified under penalty of perjury to the truthfulness of all statements, answers, and  
24 representations in the application. The Board denied the application on August 13, 2007.

25 JURISDICTION

- 26 3. This Statement of Issues is brought before the Board, under the authority  
27 of the following laws. All section references are to the Business and Professions Code unless  
28 otherwise indicated.

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5. Section 480 states:

"(1) Been convicted of a crime. A conviction within the meaning of this section is a conviction by a jury or verdict of guilty or a conviction following a plea of nolo contendere. Any action or proceeding is permitted to take following the establishment of a conviction may be taken whether the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or an order granting probation is made suspending the imposition of sentence, irrespective of whether an appeal is taken or an order of appeal is made under the provisions of Section 1203.4 of the Penal Code.

• • • •

" The board may deny a license pursuant to this subdivision only if the crime or  
ially related to the qualifications, functions or duties of the business or profession  
lication is made."

6. California Code of Regulations, title 16, section 2521 states:

“For the purposes of denial, suspension, or revocation of a license pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a crime or act shall be considered to be substantially related to the qualifications, functions or duties of a licensed vocational nurse if to a substantial degree it evidences present or potential unfitness of a licensed vocational nurse to perform the functions authorized by his license in a manner consistent with the public health, safety, or welfare.

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1 FIRST CAUSE FOR DENIAL OF APPLICATION

2 (Convictions of Substantially Related Crimes)

3 7. Respondent's application is subject to denial under sections 2866 and 480,  
4 as defined in California Code of Regulations, title 16, section 2521, in that Respondent was  
5 convicted of crimes substantially related to the qualifications, functions or duties of a licensed  
6 vocational nurse which to a substantial degree evidence present or potential unfitness of  
7 Respondent to perform the functions authorized by his license in a manner consistent with the  
8 public health, safety, or welfare, as follows:

9 a. On or about August 30, 2006, Respondent was convicted by the Court on a  
10 plea of nolo contendere for violating one count of Penal Code section 647, subdivision (b), a  
11 misdemeanor (disorderly conduct: prostitution), in the Superior Court of California, County of  
12 Los Angeles, Hollywood Judicial District, Case No. 6HY01706, entitled *The People of the State*  
13 *of California v. Reinhard Pasamaner Aquino*. The circumstances surrounding the conviction are  
14 that on or about May 26, 2006, Respondent was arrested for solicitation of prostitution.

15 b. On or about March 11, 2004, Respondent was convicted by the Court on a  
16 plea of nolo contendere for violating one count of Penal Code section 653.22, subdivision (a), a  
17 misdemeanor (unlawful loitering with intent to prostitute), in the Superior Court of California,  
18 County of Los Angeles, Hollywood Judicial District, Case No. 4HL00219, entitled *The People of*  
19 *the State of California v. Reinhard Pasamaner Aquino*. The circumstances surrounding the  
20 conviction are that on or about January 8, 2004, Respondent was arrested for solicitation of  
21 prostitution.

22 c. On or about June 21, 2002, Respondent was convicted by the Court on a  
23 plea of nolo contendere for violating one count of Penal Code section 653.22, subdivision (a), a  
24 misdemeanor (unlawful loitering with intent to prostitute), in the Superior Court of California,  
25 County of Los Angeles, Central Judicial District, Case No. 2CR08053, entitled *The People of the*  
26 *State of California v. Reinhard Pasamaner Aquino*. The circumstances surrounding the  
27 conviction are that on or about May 2, 2002, Respondent was arrested for solicitation of  
28 prostitution.

